

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ZONEPERFECT NUTRITION COMPANY

Plaintiff,

v.

HERSHEY FOODS CORPORATION,  
HERSHEY CHOCOLATE &  
CONFECTIONERY CORPORATION,  
BARRY D. SEARS and ZONE LABS, INC.,

Defendants.

CIVIL ACTION  
NO. 04-10760-REK

FILED  
CLERK'S OFFICE

2004 MAY 32 P 5:20

U.S. DISTRICT COURT  
DISTRICT OF MASS.

**ASSENTED TO MOTION FOR LEAVE TO EXTEND TIME TO ANSWER  
DEFENDANTS' COUNTERCLAIMS**

Pursuant to Fed. R. Civ. P. Rule 6(b), plaintiff ZonePerfect Nutrition Company ("ZonePerfect") hereby moves to extend the time to file its Answers to Defendants' counterclaims from Tuesday, June 1, 2004 to **Monday, June 7, 2004**. As grounds therefore, ZonePerfect states as follows:

1. The Defendants have assented to the above motion; and
2. There will be no prejudice to any other party from the granting of this extension.

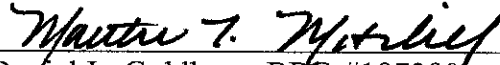
**WHEREFORE**, ZonePerfect moves the Court for leave to file its Answers to Defendants Counterclaims on Monday, June 7, 2004.

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Respectfully submitted,

**ZONEPERFECT NUTRITION COMPANY**

By its attorneys,



Daniel L. Goldberg, BBO #197380

Charles L. Solomont, BBO # 557190

Joshua M. Dalton, BBO #636402

Matthew L. Mitchell, BBO #647902

**BINGHAM MCCUTCHEN LLP**

150 Federal Street

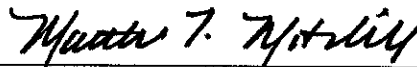
Boston, MA 02110

(617) 951-8000

Dated: June 1, 2004

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served upon counsel for each defendant via facsimile and by hand to Ms. Arrowood and Mr. Adio and by mail to Mr. Smart this 1st day of June, 2004.



Mathew L. Mitchell